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Attorneys for Plaintiff,  
SMART MEMORY SOLUTIONS, LLC

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SMART MEMORY SOLUTIONS, LLC  
Plaintiff,  
v.  
TOSHIBA AMERICA ELECTRONIC  
COMPONENTS, INC.,  
Defendants.

Case No. 3:12-cv-01549-EMC

**STIPULATION TO CONTINUE CASE  
MANAGEMENT CONFERENCE  
ORDER  
DEMAND FOR JURY TRIAL**

Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure and Civil L.R. 6-2, the parties hereto stipulate to this joint request for a continuance of the Case Management Conference currently set for February 28, 2013 (with the deadline for filing a Case Management

1 Report set for February 21, 2013). The parties request that the CMC be continued one month, to  
2 March 28, 2013, or such date thereafter as may be convenient for the Court.

3 In support of this stipulated request, the parties state as follows:

- 4 1. On January 4, 2013, Plaintiff Smart Memory Solutions, LLC, and Defendant Toshiba  
5 America Electronic Components, Inc. (collectively, the "Parties") reached an  
6 agreement in principle to settle all claims in this action. (*See* Dkt. No. 103.)
- 7 2. On January 9, 2013, pending finalization of the settlement agreement and expected  
8 subsequent dismissal, the Court ordered a stay of all deadlines and scheduled events  
9 in the case, except that a Further CMC was set for February 28, 2013, to be vacated  
10 once a stipulation for dismissal was filed. (*See* Dkt. No. 105.)
- 11 3. The Parties have made substantial progress toward finalizing the settlement, but  
12 would request additional time to complete the process before a Further CMC is held.
- 13 4. As there is a general stay in place, the requested one-month continuance will have no  
14 effect on any other scheduled dates.

15 WHEREFORE, the Parties respectfully request that the Further Case Management  
16 Conference currently set for February 28, 2013, be reset for March 28, 2013, with a joint CMC  
17 statement to be filed by March 21, 2013.

18  
19 Agreed to by:

20  
21 Dated: February 19, 2013

/s/ Daniel M. Shafer

Daniel M. Shafer  
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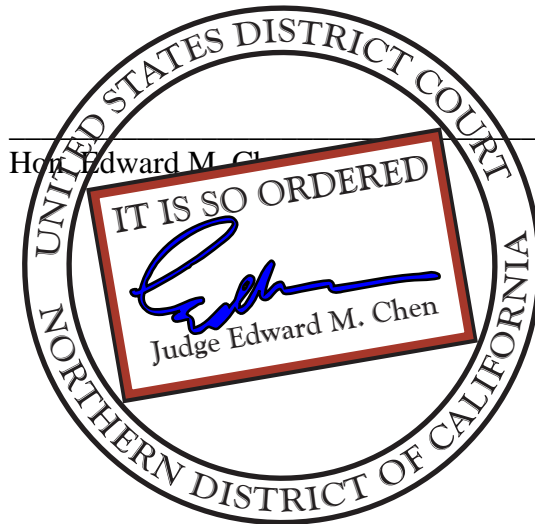
Dated: February 19, 2013

/s/ Mark Fowler

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Counsel for Defendant,  
TOSHIBA AMERICA ELECTRONIC  
COMPONENTS, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.



1. I am an attorney licensed to practice law in the state of California. I am employed by the Lanier Law Firm, P.C., counsel for Plaintiff SMART MEMORY SOLUTIONS, LLC. The statements herein are made on my personal knowledge, and if called as a witness I could and would testify thereto.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

STIPULATION TO CONTINUE CMC  
CASE NO: 3:12-cv-01549-EMC